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May 13, 2008

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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY EF DEPUTY

UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

Report on Defendant Under Supervision
(Amended May 19, 2008)

Name of Defendant: Inda, Julio Armando (English) **Dkt No.:** 08MJ8328-001

08CR1538-IEG

Name of Judicial Officer: The Honorable Peter C. Lewis, U.S. Magistrate Judge

Date Conditions of Release Imposed: April 16, 2008

Conditions of Release: restrict travel to the Southern District of California; not to enter Mexico; report for supervision to the Pretrial Services Agency (PSA) as directed by the assigned Pretrial Services Officer and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or other controlled substance as defined in 21 U.S.C.§ 802, without a lawful medical prescription; not possess any firearm or other dangerous weapon or explosive device; submit to treatment, and/or testing, as specified by the Pretrial Services Officer for drug or alcohol abuse; actively seek and maintain full-time employment, schooling, or combination of both; and $20,000 personal appearance bond, co-signed by two financially responsible adults.

Date Released on Bond: April 25, 2008

Charged Offense: Importation of a Controlled Substance (57.22 kg. of Marijuana)

Next Court Hearing: June 2, 2008

Asst. U.S. Atty.: John F. Weis

Defense Counsel: Mahir Sherif (appointed)
(619) 297-4444

Prior Violation History: None.

PETITIONING THE COURT

TO ORDER AN ORDER TO SHOW CAUSE HEARING

Pretrial Services believes the defendant violated the following conditions of pretrial release:

CONDITIONS	**ALLEGATION OF NONCOMPLIANCE**
Report for supervision to the Pretrial Services Agency as directed by the assigned Pretrial Services Officer.	1. On May 5, 2008, the defendant failed to report to Pretrial Services for drug testing.

Grounds for violation: On May 1, 2008, the defendant signed reporting instructions and acknowledged he was to report to the Pretrial Services Agency every Monday or as instructed for drug testing. On May 5, 2008, the defendant failed to report to the Pretrial Services Agency as directed for drug testing.

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Not possess or use any narcotic drug or other controlled substance without a lawful medical prescription.	2.	On May 6 and 12, 2008, the defendant submitted urine samples which tested positive for THC metabolite (Marijuana)

Grounds for violation: The undersigned received and reviewed written notification from the U.S. Pretrial Services laboratory which confirms the urine samples submitted by the defendant on May 6 and 12, 2008, tested positive for marijuana use.

VIOLATION SUMMARY

SUPERVISION ADJUSTMENT

Mr. Inda commenced his pretrial release on April 25, 2008. On May 1, 2008, the defendant submitted a urine sample which tested positive for THC metabolite (marijuana). The defendant reported to Pretrial Services he was using marijuana on a daily basis and last used marijuana on April 15, 2008 (day of arrest). According to U.S. Pretrial Services Supervising Drug Analysis Specialist Paula Svandova, the positive urine sample submitted on May 1, 2008, is consistent with marijuana use prior to being released on bond.

On May 6 and 12, 2008, the defendant submitted urine samples which tested positive for THC metabolite. The defendant denied using marijuana while on bond. According to U.S. Pretrial Services Supervising Drug Analysis Specialist Paula Svandova, the THC metabolite levels on the samples have increased from the first sample which is consistent with new marijuana use. With this considered, it appears the defendant's supervision adjustment is poor.

DEFENDANT HISTORY/CHARACTERISTICS

Mr. Inda is a 21-year-old United States citizen who is single with no children. Mr. Inda has an 11th grade education, and he is currently unemployed. While on bond, the defendant has been residing in Imperial, California, with his parents and siblings.

RECOMMENDATION

Mr. Inda has been on pretrial supervision for two weeks, and he is demonstrating noncompliant behavior as it appears he continues to use illicit drugs. Pretrial Services has not been able to address the defendant's substance problem as he denies using marijuana while on bond. Therefore, Pretrial Services request your Honor cite the defendant to court for an Order to Show Cause Hearing on May 13, 2008, at 1:30 p.m. to address why his bond should not be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 5/19/08

Respectfully submitted:
LORI A. GAROFALO
CHIEF PRETRIAL SERVICES OFFICER

by [signature]
Yolanda German
U.S. Pretrial Services Officer
(760) 482-2872

Reviewed and approved:

[signature]
Carlos Gutierrez
Supervising U.S. Pretrial Services Officer

Place: El Centro, California

Attachments

THE COURT ORDERS:

_____ Agree, cite the defendant to court for an Order to Show Cause Hearing on June 2, 2008, at 1:30 p.m. to address why his bond should not be revoked.

✓ Other Δ already in custody, bond having been revoked – Δ is pending an OSC on this petition for 6-2-08

[signature]
U.S. Magistrate Judge Peter C. Lewis

5-20-08
Date